

JAP:DAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M11-316

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

MARTHA YAMILI JOAQUIN DIAZ,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ANDREW KAPPAUF, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about March 26, 2011, within the Eastern District of New York and elsewhere, defendant MARTHA YAMILI JOAQUIN DIAZ did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. On or about March 26, 2011, the defendant MARTHA YAMILI JOAQUIN DIAZ arrived at John F. Kennedy International Airport ("J.F.K. Airport") in Queens, New York, aboard Jet Blue Flight No. 832 from Santiago, Dominican Republic.

2. The defendant MARTHA YAMILI JOAQUIN DIAZ was selected for a Customs and Border Protection ("CBP") examination. The defendant presented for inspection one black and grey "Clipper Club" suitcase and one black and grey "Jeep" suitcase. The defendant claimed ownership of both suitcases.

3. During an inspection of the defendant's "Clipper Club" suitcase, a CBP officer noticed that the bag's hand rail did not fully extend and that bag emitted a strong odor. Further examination revealed that the hand rail contained a white powdery substance, which field-tested positive for the presence of cocaine.

4. The CBP officer next examined the defendant MARTHA YAMILI JOAQUIN DIAZ's "Jeep" suitcase. Inside the "Jeep" suitcase, the CBP officer found a second "Clipper Club" bag. A probe of that bag's hand rail revealed a white, powdery substance

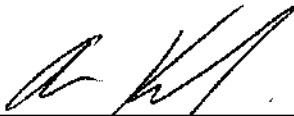
^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

that field-tested positive for the presence of cocaine.

5. The total approximate gross weight of the cocaine found in the defendant MARTHA YAMILI JOAQUIN DIAZ's bags is 2,109.7 grams.

6. The defendant MARTHA YAMILI JOAQUIN DIAZ was placed under arrest and advised of her Miranda rights, which she chose to waive. The defendant then admitted, in substance and in part, that she believed she was carrying illegal narcotics.

WHEREFORE, your deponent respectfully requests that defendant MARTHA YAMILI JOAQUIN DIAZ be dealt with according to law.



ANDREW KAPPAUF
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
28th day of March, 2011

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF